

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 8212 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.PARIKH

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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SANDHYABEN ROHITKUMAR PATEL

Versus

STATE OF GUJARAT

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Appearance:

MR SR SHAH for Petitioner

MR KT DAVE, AGP for Respondent No. 1, 2

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CORAM : MR.JUSTICE M.S.PARIKH

Date of decision: 07/10/98

ORAL JUDGEMENT

Rule. Service of rule waived by Mr. K.T. Dave,  
Ld. AGP for the respondents.

2. Heard. Short point on which this petition is required to be allowed in the manner indicated hereinbelow is that the revisional authority who had taken the matter in suo-motu revision had decided the

matter after he was transferred as Collector and had become functus officio. Hence, in the facts of the case, following direction is issued :-

The impugned order dated 19/8/1998 passed by the aforesaid authority, who became functus officio is hereby quashed and set aside and the matter is remanded to the revisional authority, namely, Deputy Secretary, Information, Broadcasting and Tourism Department, Government of Gujarat, for deciding the matter afresh after giving opportunity to the petitioner.

Rule made absolute in the aforesaid terms. No order as to cost.

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\*\*PVR\*\* sca821298j.